



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. KELLY A BREEN

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, May 17, 2023

10:30 AM

Room 521, House Office Building

The House Committee on Judiciary was called to order by Chair Breen.

The Chair requested attendance be called:

Present: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Absent: None.

Excused: None.

Representative Edwards moved to adopt the meeting minutes from May 10, 2023. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4293, HB 4294, HB 4295, HB 4296, HB 4297, HB 4298, HB 4299, HB 4300, HB 4301 and HB 4302 before the committee:

HB 4293 (Rep. Hope)

A bill to amend 1921 PA 352, entitled "An act to prohibit the marriage of a person under 16 years of age and to declare the marriage void," by amending the title and section 1 (MCL 551.51), as amended by 1983 PA 198.

HB 4294 (Rep. Hope)

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending section 3 (MCL 551.103), as amended by 2006 PA 578.

HB 4295 (Rep. Farhat)

A bill to amend 1897 PA 180, entitled "An act to provide for the issuance of marriage licenses and

certificates without publicity in certain cases; and to provide criminal and civil penalties for violation of this act," by amending section 1 (MCL 551.201), as amended by 1983 PA 199.

HB 4296 (Rep. Coffia)

A bill to amend 1919 PA 160, entitled "An act to release legally married minors from parental control and to determine their marital rights and duties," by amending section 1 (MCL 551.251).

HB 4297 (Rep. Edwards)

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2519, 5103, 5204, 5206, and 5215 (MCL 700.2519, 700.5103, 700.5204, 700.5206, and 700.5215), section 2519 as amended by 2010 PA 325, section 5103 as amended by 2016 PA 483, section 5204 as amended by 2005 PA 204, and section 5215 as amended by 2020 PA 365.

HB 4298 (Rep. Brixie)

A bill to amend 2018 PA 434, entitled "Safe families for children act," by amending section 5 (MCL 722.1555).

HB 4299 (Rep. Grant)

A bill to amend 2001 PA 125, entitled "An act to define the rights and responsibilities of hotels and bed and breakfasts with respect to renting or leasing hotel or bed and breakfast rooms to minors," by amending section 4 (MCL 427.304).

HB 4300 (Rep. Hill)

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 34 (MCL 552.34), as amended by 1983 PA 211.

HB 4301 (Rep. Young)

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending sections 4 and 4e (MCL 722.4 and 722.4e), section 4 as amended by 1998 PA 509 and section 4e as added by 1988 PA 403.

HB 4302 (Rep. Andrews)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 13, 520d, 520e, and 520l (MCL 750.13, 750.520d, 750.520e, and 750.520l), section 13 as amended by 2015 PA 210, sections 520d and 520e as amended by 2012 PA 372, and section 520l as amended by 1988 PA 138.

Representative Hope testified in support of HB 4293, HB 4294, HB 4295, HB 4296, HB 4297, HB 4298, HB 4299, HB 4300, HB 4301 and HB 4302. Questions and discussion followed.

Austin T. Kreutz, representing the Bonhoeffer Forum, testified in support of HB 4293, HB 4294, HB 4295, HB 4296, HB 4297, HB 4298, HB 4299, HB 4300, HB 4301 and HB 4302.

The following people submitted a card in support of HB 4293, HB 4294, HB 4295, HB 4296, HB 4297, HB 4298, HB 4299, HB 4300, HB 4301 and HB 4302, but did not wish to speak:

Stephanie Johnson, representing the Family Law Section of the State Bar.

Mitch Albers, representing the Michigan Department of Attorney General.

The following person submitted a card in support of HB 4293, HB 4294 and HB 4295, but did not wish to speak:

Jess Averill, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

The following person submitted a card with a neutral position on HB 4301, but did not wish to speak:

Jess Averill, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

The following person submitted a card in support of HB 4298, but did not wish to speak:

Chardae Burton, representing the Michigan Department of Health and Human Services.

Representative Edwards moved to adopt substitute (H-1) to HB 4293. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Tyrone Carter moved to report out HB 4293 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Hope moved to adopt substitute (H-1) to HB 4294. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Arbit moved to report out HB 4294 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Dievendorf moved to report out HB 4295 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Hoskins moved to adopt substitute (H-1) to HB 4296. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Tsernoglou moved to report out HB 4296 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Edwards moved to report out HB 4297 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Tyrone Carter moved to report out HB 4298 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Hope moved to report out HB 4299 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Arbit moved to report out HB 4300 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Dievendorf moved to adopt substitute (H-1) to HB 4301. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Hope offered the following amendment to HB 4301:

1. Amend page 2, line 1, after "validly" by striking out "married and".

Representative Hope moved to adopt the amendment to HB 4301. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Hoskins moved to report HB 4301 as amended, as substitute (H-2). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Tsernoglou moved to adopt substitute (H-1) to HB 4302. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Edwards moved to report out HB 4302 with recommendation, as substitute (H-1). The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

The Chair laid HB 4178, HB 4179, HB 4180, HB 4181 and HB 4182 before the committee:

HB 4178 (Rep. Roth)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219g.

HB 4179 (Rep. Whitsett)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2016 PA 150.

HB 4180 (Rep. Breen)

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 2020 PA 232 and section 16226 as amended by 2020 PA 233.

HB 4181 (Rep. Steckloff)

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2980.

HB 4182 (Rep. St. Germaine)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2018 PA 182.

Representative Roth testified in support of HB 4178, HB 4179, HB 4180, HB 4181 and HB

4182.

Lynn Spencer, representing herself, testified in support of HB 4178, HB 4179, HB 4180, HB 4181 and HB 4182.

Kara Rubenstein Deyerin, representing the Right to Know, testified in support of HB 4178, HB 4179, HB 4180, HB 4181 and HB 4182. Questions and discussion followed.

The following person submitted a card in support of HB 4178, HB 4179, HB 4180, HB 4181 and HB 4182, but did not wish to speak:

Mitch Albers, representing the Michigan Department of Attorney General.

Representative Edwards moved to report out HB 4178 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Tyrone Carter moved to report out HB 4179 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Hope moved to report out HB 4180 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Arbit moved to report out HB 4181 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

Representative Dievendorf moved to report out HB 4182 with recommendation. The motion prevailed 13-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

The Chair laid HB 4522, HB 4523, HB 4524 and HB 4525 before the committee:

HB 4522 (Rep. Breen)	A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 1082 (MCL 600.1082), as amended by 2012 PA 334, and by adding chapter 10D.
HB 4523 (Rep. Hope)	A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 1093 (MCL 600.1093), as amended by 2018 PA 591.
HB 4524 (Rep. Andrews)	A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 1074 (MCL 600.1074), as added by 2004 PA 224.
HB 4525 (Rep. Filler)	A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 1064 and 1066 (MCL 600.1064 and 600.1066), as added by 2004 PA 224.

At 11:16 AM, the Chair laid the committee at ease.

At 11:18 AM, Majority Vice Chair Edwards called the committee back to order.

Chair Breen, Representative Filler, Representative Hope, and Kate Hude, representing the Michigan Association of Treatment Court Professionals, testified together in support of HB 4522, HB 4523, HB 4524 and HB 4525. Questions and discussion followed.

Judge Travis Reeds, from the 52nd District Court in Novi, testified in support of HB 4522, HB 4523, HB 4524 and HB 4525.

Judge Sue Dobrich, retired from Cass County Probate Court, testified in support of HB 4522, HB 4523, HB 4524 and HB 4525.

At 11:44 AM, Majority Vice Chair Edwards laid the committee at ease.

At 11:45 AM, the Chair called the committee back to order.

The following person submitted a card in opposition to HB 4523 and HB 4525, but did not wish to speak:

Jess Averill, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

The following people submitted a card in support of HB 4522, HB 4523, HB 4524 and HB 4525, but did not wish to speak:

Nathan Triplett, representing the State Bar of Michigan.
Alicia Moon, representing the State Court Administrative Office.
Samantha Gibson, representing the Michigan Association of Counties.
Noah Smith, representing the Criminal Defense Attorneys of Michigan.

There being no further business before the committee, Chair Breen adjourned the meeting at 11:46 AM.

Representative Kelly Breen, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov